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REMARKS

MAY 05 2008

This amendment is responsive to the Official Office Action dated February 7, 2008.

The claims in this application, claims 1-13, were examined and rejected under 35 USC 112, second paragraph as not defining the pawl shape adequately.

This matter has been addressed by more definitely claiming the pawl and ratchet engagement relationship in amended claim 1.

Claims 1-13 were examined and rejected under 35 USC 103(a) as unpatentable over House et al. (U.S. 6,648,305) in view of Reiff (U.S. 6,848,678).

The amended claim 1 contains a description of the ratchet which does not find an equivalent disclosed in the cited prior art. Further, the pawl is defined to have an end which is perpendicular to the axis of the pawl and engaging a plane surface on the ratchet. This form of engagement between the pawl and the ratchet is not disclosed in any of the cited references. This form of pawl and ratchet clearly provides an engagement that requires essentially no overthrow or excess clearance between the pawl end face and the ratchet for engagement of the two elements to prevent the reversal of the ratchet and the tensioner and prevent the loosening of the tightened flexible web being tightened.

Further the orientation and the form of the opening formed into the tensioner have been further defined to call out and specify the shape of the opening as a slot with a plurality of regions where the slot has been widened to accommodate the thickened portion of the web upon the insertion of the web into the slot.

This is a very important element in the invention. In order to provide a force onto the flexible fencing member being tightened, the tensioner is rotated to wind the fencing member onto the outside of the tensioner. When the fencing member is wound the wrapping of the member onto

itself causes the tightening of the web onto the exterior of the tensioner.

The web of the fencing material is formed with a plurality (typically three) ridges, one in the middle of the web width and one each on the two edges of the web.

In order to engage the web of the fencing member on the surface to provide a sufficient force to wind the web onto the tensioner and provide some tension to the web it is necessary to thread the web into the opening 34 or slot 34 in the tensioner. This provides only a small frictional engaging area with the slot 34 of the tensioner with the surface of the ridges providing the frictional engagement to allow the winding of the fencing material to be wound upon itself.

The ridges in turn engage with the ridge of the preceding wrap of the fencing member and force the end of the preceding wrap to remain in the slot or opening in the tensioner.

Without the accomodating of the ridges on the fencing member being accommodated in widened or enlarged area of the opening the area of engagement of the fencing member with the slot, insufficient frictional engagement and force will be exerted on the fencing member to cause the fencing member to be wound tight enough to tension the span of fencing member without slipping on the surface of the tensioner and pulling the end of the fencing member from the opening in the interior of the tensioner.

The cited reference, House et al., USP 6,648,305 and Reiff, USP 6,848,678 disclose a slot in the drum of the devices and the relevant drawings, Fig. 4 in both patents appear to be identical drawings. It does not appear to Applicant's Attorney that any thought had been given to the problem outlined above and the manner in which Applicant addressed the problem.

No other reference cited by Applicant or the Examiner in the application was found that implemented the solution by including a widening of the slot or opening in the tensioner body to accommodate the contours of the flexible fencing material when inserted into the tensioner.

The use of the flexible fencing member is not the subject of the invention and is not claimed.

The claims are directed to the tensioning mechanism and thus define an improvement over all of the cited prior art and as such are clearly patentable and allowable.

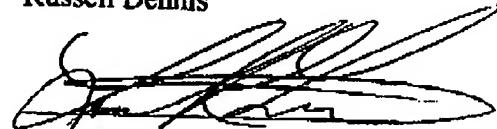
All remaining claims in the application are dependent upon the lone independent claim.

Claims 4, 5, 6, 10, 11, 12 and 13 have been incorporated into claim and have been canceled.

The dependent claims in this application are all allowable based upon the incorporation of all limitations in Claim 1.

Accordingly, Applicant respectfully requests a re-examination of the claims of record and a Notice of Allowance.

RESPECTFULLY SUBMITTED,
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